

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

#7/ald  
12-19-03

Applicants: **Arunachalam et al.** Case: **Arunachalam 7-18-4-4-1**  
Serial No.: **09/303,718** Examiner: **Unknown**  
Filed: **April 30, 1999** Group Art Unit: **2662**  
Title: **SCALABLE HIGH SPEED ROUTER APPARATUS**

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**BASED ON FAILURE TO RECEIVE OFFICE ACTION**

VIA FACSIMILE 703-872-9306  
Commissioner for Patents  
P.O. Box 1450  
Technology Center 2600  
Alexandria, VA 22313-1450

1. On August 5, 2003, by facsimile, Applicants filed an Associate Power of Attorney/Change of Correspondence Address (hereinafter "Power"), in favor of the Attorneys/Agents of Moser, Patterson & Sheridan, LLP, Attention: Eamon J. Wall, Esq., for this application. Copies of the Power and the PTO's Auto-Reply Facsimile Transmission receipt are attached.

2. Status inquiries were filed on August 6 and October 3, 2003. Copies of the PTO Auto-Reply Facsimile Transmission receipts are attached.

3. On November 13, 2003, Applicants' attorneys received a Notice of Abandonment of this application (mailed on November 10, 2003) for failure to timely file a proper reply to the Office letter mailed on June 5, 2002.

4. Eamon J. Wall is the attorney responsible for this application. His assistant, Laura E. Crater, who receives and processes his mail was out on November 14, 2003. She returned to the office on November 17, 2003, processed the Notice of Abandonment, and delivered it to Mr. Wall.

5. On November 18, 2003, per Mr. Wall's instructions, Ms. Crater called the offices of Keith D. Nowak, Esq. Before the filing of the Associate Power of Attorney/Change of Correspondence Address on August 5, 2003, Mr. Nowak was correspondent.

6. Ms. Crater was advised that Mr. Nowak was out of town and would return to his office on November 24, 2003. She left him a message about the abandonment and requested that he return her call.

7. Not having heard from Mr. Nowak, Ms. Crater e-mailed him on November 26, 2003 confirming the abandonment and again requesting that he contact her.

8. Mr. Nowak's assistant, Clara-Jean Castle, contacted Ms. Crater on November 26, 2003. She advised that according to her records the June 5, 2002 Office Action had not been received. Ms. Crater requested that Ms. Castle provide a declaration to support applicants' petition for withdrawal of the holding of abandonment based on Failure to Receive Office Action (MPEP 711.03(c) II). The declaration was received on December 10, 2003 and is submitted herewith in support of this petition.

9. Applicants respectfully request withdrawal of the holding of abandonment and remailing of the Office Action.

10. Although applicants do not believe that any fee is due in connection with this Petition, if applicants are incorrect, the Commissioner is authorized to charge any fee due to Deposit Account No. 20-0782. To facilitate such charge, a duplicate copy of this Petition is attached.

Respectfully submitted,



EAMON J. WALL, REG. #39,414  
MOSER, PATTERSON & SHERIDAN, LLP  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702  
Telephone: 732-530-9404  
Facsimile: 732-530-9808

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

Applicants: **Arunachalam et al.** Case: **Arunachalam 7-18-4-4-1**  
Serial No.: **09/303,718** Examiner: **Unknown**  
Filed: **April 30, 1999** Group Art Unit: **2662**  
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Respectfully submitted,



EAMON J. WALL, REG. #39,414  
MOSER, PATTERSON & SHERIDAN, LLP  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702  
Telephone: 732-530-9404  
Facsimile: 732-530-9808

USPTO 8/5/03 7:07 PAGE 1/1 RightFAX  
 Auto-reply fax to 732 530 9808 COMPANY:

## Auto-Reply Facsimile Transmission



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08/05/03 18:10 FAX 732 530 9808		MOSER PATTERSON SHERIDAN		08/05/03	
<b>IN THE UNITED STATES          PATENT AND TRADEMARK OFFICE</b>					
<b>PATENT APPLICATION</b>					
Applicant(s):	R. ARUNACHALAM, S1 AL				
Case:	ARUNACHALAM 7-18-4-1				
Serial No.:	09/303,718	Filed:	4/30/99		
Examiner:	UNKNOWN	Group Art Unit:	2701		
Title:	SCALABLE HIGH SPEED ROUTER APPARATUS				
<b>ASSOCIATE POWER OF ATTORNEY/          CHANGE OF CORRESPONDENCE ADDRESS</b>					
COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450					
S I R:					
I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.					
 Gregory A. Muggia Registration No. 41,209 Telephone: 732-845-3578 Attorney for Applicant(s)					
Received from 732 530 9808 on 08/05/03 7:07:13 PM [Eastern Daylight Time]					

12/11/03 09:34 FAX 732 530 9808  
08/05/03 18:11 FAX 732 530 9808

MOSER PATTERSON SHERIDAN  
MOSER PATTERSON SHERIDAN

007  
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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO	0054	
CONNECTION TEL		17038729314
SUBADDRESS		
CONNECTION ID		
ST. TIME	08/05 18:10	
USAGE T	00'52	
PGS. SENT	2	
RESULT	OK	

**IN THE UNITED STATES**  
**PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Applicant(s): R. ARUNACHALAM, ET AL.  
Case: ARUNACHALAM 7-18-4-4-1  
Serial No.: 09/303,718 Filed: 4/30/99  
Examiner: UNKNOWN Group Art Unit: 2731  
Title: SCALABLE HIGH SPEED ROUTER APPARATUS

**ASSOCIATE POWER OF ATTORNEY/**  
**CHANGE OF CORRESPONDENCE ADDRESS**

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION


Applicant(s): R. ARUNACHALAM, ET AL.  
Case: ARUNACHALAM 7-18-4-4-1  
Serial No.: 09/303,718 Filed: 4/30/99  
Examiner: UNKNOWN Group Art Unit: 2731  
Title: SCALABLE HIGH SPEED ROUTER APPARATUS

ASSOCIATE POWER OF ATTORNEY/  
CHANGE OF CORRESPONDENCE ADDRESS

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

  
Gregory J. Murgia  
Registration No. 41,209  
Telephone: 732-949-3578  
Attorney for Applicant(s)

**ATTACHMENT A**

Attorney Name(s): Attorneys and/or Agents of CUSTOMER #26,291; and  
David W. Herring, Jr., Reg. No. P-51,069  
Matthew J. Hodulik, Reg. No. 36,164  
John B. MacIntyre, Reg. No. 41,170  
John F. McCabe, Reg. No. 42,854  
Steven R. Santema, Reg. No. 40,156  
David A. Sasso, Reg. No. 43,084  
Ozer M. N. Teitelbaum, Reg. No. 36,698

Telephone calls should be made to EAMON J. WALL at:

Phone No.: 732-530-9404

Fax No.: 732-530-9808

All written communications are to be addressed to:

**CUSTOMER #26,291  
MOSER, PATTERSON & SHERIDAN, LLP  
595 Shrewsbury Avenue  
Suite 100  
Shrewsbury, New Jersey 07702  
Attention: Eamon J. Wall**



USPTO  
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## Auto-Reply Facsimile Transmission



UNITED STATES  
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TO:

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08/06/03 12:18 FAX 732 530 9808		MOSER PATTERSON SHERIDAN		0091
<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b> <b>PATENT APPLICATION</b>				
Applicant(s):	R. ARUNACHALAM, ET AL.			
Case:	ARUNACHALAM 7-18-4-1			
Serial No.:	US/00,715	Filed:	4/30/99	
Examiner:	UNKNOWN	Group Art Unit:	2731	
Title:	SCALABLE HIGH SPEED ROUTER APPARATUS			
<b>STATUS INQUIRY</b>				
COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450				
S I R:				
Please advise the anticipated date of the first Action in this application.				
A copy of a recently submitted ASSOCIATE POWER OF ATTORNEY/CHANGE OF CORRESPONDENCE ADDRESS is attached.				
Respectfully submitted,				
 EAMON J. WALL, REG. #30,414 MOSER, PATTERSON & SHERIDAN, LLP 195 Shrewsbury Avenue, Suite 100 Shrewsbury, New Jersey 07702 Telephone: 732-530-8404 Facsimile: 732-530-8808				
ANTICIPATED DATE OF FIRST ACTION _____				
Received from: 732 530 9808 at 08/06/03 1:12:18 PM [Eastern Daylight Time]				

10/06/03 07:05:57

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Page 001

TO: Auto-reply fax to 732 530 9808 COMPANY:

## Auto-Reply Facsimile Transmission



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

TO:

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Date Received:

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10/6/03 7:03:40 AM [Eastern Daylight Time]  
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Received  
Cover  
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10/06/03 07:05:57 FAX 732 530 9808		MOSER PATTERSON SHERIDAN		001/001
<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b> <b>PATENT APPLICATION</b>				
Applicants:	Arushachalam et al.	Case:	Arushachalam 7-18-4-4-1	
Serial No.:	09/203,719	Examiner:	Unknown	
Filed:	April 30, 1999	Group Art Unit:	2731	
Title:	SCALABLE HIGH SPEED ROUTER APPARATUS			
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450				
S I R:				
<b>STATUS LETTER</b>				
Please provide the anticipated date of the first Office Action.				
Respectfully submitted,				
<u>10/6/03</u>		 Eamon J. Wall, Attorney Reg. No. 36,414 (702) 530-8404		
Moser, Patterson & Sheridan, LLP 585 Rutherford Avenue, Suite 100 Shrewsbury, NJ 07702				
ANTICIPATED DATE OF FIRST OFFICE ACTION _____				

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DEC 11 2003

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: R. Arunachalam, V.P. Kumar, S.R. Rathnavelu, D. Stiliadis  
Serial No.: 09/303,718  
Filed: April 30, 1999  
For: SCALABLE HIGH SPEED ROUTER APPARATUS  
Group Art Unit: 2731

OFFICIAL

DECLARATION OF CLARA J. CASTLE

U.S. Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

I, Clara J. Castle, declare that:

1. I was the patent docketing specialist in the employ of Lieberman & Nowak LLP ("L&N"). I had been so employed from approximately February 1, 1981 to January 31, 2003.
2. One of my responsibilities at L&N was to open mail received from the U.S. Patent and Trademark Office ("USPTO") and to record and docket the received mail based on its application serial number.

3. I did not receive the June 5, 2002 Office Action for the above-captioned patent application.

4. On February 1, 2003, we moved our offices and the Notice of Abandonment mailed on February 10, 2003 was not received.

5. To the best of my knowledge, no one at L&N received an Office Action or Notice of Abandonment for the above-captioned patent application.

6. If I or any other person employed by L&N had received the Office Action mailed June 5, 2002, that Office Action would have been entered into L&N's docket records for a response due on September 5, 2002, and a six month deadline of December 5, 2002.

7. Therefore, the fact that the Office Action mailed June 5, 2002 does not appear in L&N's docket record for September 5, 2002 or December 5, 2002 (copy attached as Exhibit A) indicates that L&N did not receive that Office Action.

I am aware that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and may jeopardize the validity of the instant

application or any patent issuing thereon. I certify that all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Dated: December 10, 2003

Respectfully submitted,

By Clara J. Castle  
Clara J. Castle

## PATENT DOCKET

Due /Last Date /Date	File Number	Client	Country	Action	Compl. Date
<b>SEPTEMBER 2002</b>					
9/1 JKK	10661-2	DCT	Australia	Search reports	Not needed
9/1 JKK	10807-3	DCT	Australia	Search reports	Not needed
9/1 JKK	11044	Lucent	Japan	Office Action	9/9
9/4 JKK	11201	Brilliant	U.S.	File off Provisional by 10/4	
9/4 CJC	11200	Jacob	Foreign Filing due 10/4		
9/4 JKK	11201	Brilliant	File off Provisional		10/4
			& For. Fil. Due		none per kdn
9/4 CJC	11200	Jacob	U.S.	BASE ISSUE FEE	done
9/7 CJC	11170	Hoberman	PCT	Demand Chapter II due	8/29
9/8 CJC	11205	McNerney	Foreign Filing Due 11/8		
9/9 CJC	11206	Hoppy	File off Prov. & Ff Due 11/9		done
9/11 WRM	4021-099	Catalyst	U.S.	Appeal Brief	9/10
9/11 KDN	11155	Hoberman	U.S.	Office Action	9/10
9/12 JKK	10875	eNexus	China	Office Action	9/23
9/15 CJC	10874	Canada	eNexus	Examination	done
9/17 JKK	11055	Lucent	BPA	Office Action	Proceeding to issue
9/18 CJC	11173	Grandoe	Foreign Filing Due 10/18		
9/19 KDN	11165	Hoppy	U.S.	Rest. Req.	9/9/02
9/19 CJC	11198	Mashkabov	FOREIGN FILING DUE		none
9/19 BS	10652	Safas	Canada	Office Action	done
9/19 WM	4021-099	Catalyst	U.S.	SIX MONTH DEADLINE	
9/20 CJC	11168-1	Catalyst	Foreign Filing Due 11/20		
9/20 JKK	11177	Jones	U.S.	Office Action (Final)	
9/21 JKK	11199	Wilson	FILE OFF PROVISIONAL & FOR. FIL.		Abandoned
9/21 JKK	10875	eNexus	EPO	Instructions	9/17
9/23 CJC	10874	eNexus	EPO	Grant Fees	done
9/26 JKK	11207	Hoberman	F.f. & File off Provisional Due 11/26		

Due /Last File Date /Date Number	Client	Country	Action	Compl. Date
<u>DECEMBER 2002</u>				
12/6 CJC 10822-1	Safas	Korea/PCT	Examination	1/4/02
12/7 JKK 11170	Hoberman	U.S.	Prov. & FF Due 2/7	
12/7 CJC 11176	Catalyst	U.S.	BIF DUE 1/7	
12/9 CJC 11174	Catalyst	U.S.	BIF & DWS. DUE	12/6
12/11 WRM 11142	11142	Catalyst	U.S.	Office Action
12/11 WRM 11143	11143	Catalyst	U.S.	Office Action
12/13 JKK 11217	Brilliant	File off prov. & ff due 2/13		
12/14 CJC 4021-115.	Catalyst	Foreign Filing Due 2/14		
12/15 JKK 11169	Brilliant	U.S.	Foreign filing & file off provisional due 2/15	
12/16 JKK 11132	Real Advisor	U.S.	Office Action	1/9
12/27 CJC 11169	Catalyst	U.S.	BIF DUE	Done
12/28 JKK 11214	Merritt	Foreign Filing Due 2/28		

MOSER  
PATTERSON &  
SHERIDAN, LLP  
ATTORNEYS AT LAW

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**OFFICIAL****FACSIMILE COVER SHEET**

THIS MESSAGE HAS 16 PAGES INCLUDING THIS SHEET

TO: Commissioner for Patents  
FAX NO.: 703-872-9306  
FROM: Eamon J. Wall  
DATE: 12/11/03  
MATTER: Serial No. 09/303,718 Filed: 4/30/99  
DOCKET NO.: ARUNACHALAM 7-18-4-4-1  
APPLICANT: Arunahalam et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fee Transmittal (2 copies)
<input type="checkbox"/> Priority Document	<input checked="" type="checkbox"/> Deposit Account Transaction
<input type="checkbox"/> Drawings (___ sheets) informal	<input checked="" type="checkbox"/> Facsimile Transmission Certificate
<input checked="" type="checkbox"/> Declaration of Clara J. Castle	dated 12/11/03

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, Alexandria, VA 22313-1450 on 12/11/03, Facsimile No. 703-872-9306

LAURA E. CRATER  
Name of person signing this certificate

*Laura E. Crater* 12/11/03  
Signature and date

**CONFIDENTIALITY NOTE**

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